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additional and/or modified genes are referred to herein collectively as "transgenes". Over the last fifteen to twenty years several methods for producing transgenic plants have been developed, and the present invention, in particular embodiments, also relates to transgenic versions of the claimed hybrid maize line X1139Y.

In the Claims

Please amend the following claims:

6. (Amended)

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The tissue culture according to claim 5, the cells or protoplasts being from a tissue selected from the group consisting of leaves, pollen, embryos, roots, root tips, anthers, silks, flowers, kernels, ears, cobs, husks, and stalks.

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8. (Amended)

The maize plant of claim 2 wherein said plant has been manipulated to be male sterile.

10. (Amended)

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The method of claim 9 wherein plant breeding techniques are selected from the group consisting of: recurrent selection, backcrossing, pedigree breeding, restriction fragment length polymorphism enhanced selection, genetic marker enhanced selection, and transformation.

11. (Amended)

A maize plant, or its parts, wherein at least one ancestor of said maize plant is the maize plant, or its parts, of claim 2, wherein said maize plant has derived at least 50% of its ancestral alleles from X1139Y and is capable of expressing a combination of at least two X1139Y traits selected from the group consisting of: excellent yield potential, stability of performance across years and environments, good root strength, good stay green, good early growth, very good resistance to Gray Leaf Spot, moderate plant height, favorable to Iowa, Illinois, Missouri, Western Indiana, Michigan, New York, Vermont, and Ontario and Quebec Canada and a relative maturity of approximately 114 based on the Comparative Relative Maturity Rating System for harvest moisture of grain.



## 14. (Amended)

25 The method of claim 13 wherein plant breeding techniques are selected from the group consisting of: recurrent selection, backcrossing, pedigree breeding, restriction fragment length polymorphism enhanced selection, genetic marker enhanced selection, and transformation.

## 15. (Amended)

A maize plant, or its parts, wherein at least one ancestor of said maize plant is the maize plant, or its parts, of claim 12, wherein said maize plant has derived at least 50% of its ancestral alleles from X1139Y and is capable of expressing a combination of at least two X1139Y traits selected from the group consisting of: excellent yield potential, stability of performance across years and environments, good root strength, good stay green, good early growth, very good resistance to Gray Leaf Spot, moderate plant height, favorable to Iowa, Illinois, Missouri, Western Indiana, Michigan, New York, Vermont, and Ontario and Quebec Canada and a relative maturity of approximately 114 based on the Comparative Relative Maturity Rating System for harvest moisture of grain.

## 18. (Amended)

18 The method of claim 17 wherein plant breeding techniques are selected from the group consisting of: recurrent selection, backcrossing, pedigree breeding, restriction fragment length polymorphism enhanced selection, genetic marker enhanced selection, and transformation.

## 19. (Amended)

19 A maize plant, or its parts, wherein at least one ancestor of said maize plant is the maize plant, or its parts, of claim 16, wherein said maize plant has derived at least 50% of its ancestral alleles from X1139Y and is capable of expressing a combination of at least two X1139Y traits selected from the group consisting of: excellent yield potential, stability of performance across years and environments, good root strength, good stay green, good early growth, very good resistance to Gray Leaf Spot, moderate plant height, favorable to Iowa, Illinois, Missouri, Western Indiana, Michigan, New York, Vermont, and Ontario



and Quebec Canada and a relative maturity of approximately 114 based on the Comparative Relative Maturity Rating System for harvest moisture of grain.

## 21. (Amended)

The maize plant of claim 20 wherein said maize plant has been manipulated to be male sterile.

## 23. (Amended)

The method of claim 22 wherein plant breeding techniques are selected from the group consisting of: recurrent selection, backcrossing, pedigree breeding, restriction fragment length polymorphism enhanced selection, genetic marker enhanced selection, and transformation.

## 24. (Amended)

A maize plant, or its parts, wherein at least one ancestor of said maize plant is the maize plant, or its parts, of claim 20, wherein said maize plant has derived at least 50% of its ancestral alleles from X1139Y and is capable of expressing a combination of at least two X1139Y traits selected from the group consisting of: excellent yield potential, stability of performance across years and environments, good root strength, good stay green, good early growth, very good resistance to Gray Leaf Spot, moderate plant height, favorable to Iowa, Illinois, Missouri, Western Indiana, Michigan, New York, Vermont, and Ontario and Quebec Canada and a relative maturity of approximately 114 based on the Comparative Relative Maturity Rating System for harvest moisture of grain.

## 27. (Amended)

The method of claim 26 wherein plant breeding techniques are selected from the group consisting of: recurrent selection, backcrossing, pedigree breeding, restriction fragment length polymorphism enhanced selection, genetic marker enhanced selection, and transformation.



## 28. (Amended)

A maize plant, or its parts, wherein at least one ancestor of said maize plant is the maize plant, or its parts, of claim 23, wherein said maize plant has derived at least 50% of its ancestral alleles from X1139Y and is capable of expressing a combination of at least two X1139Y traits selected from the group consisting of: excellent yield potential, stability of performance across years and environments, good root strength, good stay green, good early growth, very good resistance to Gray Leaf Spot, moderate plant height, favorable to Iowa, Illinois, Missouri, Western Indiana, Michigan, New York, Vermont, and Ontario and Quebec Canada and a relative maturity of approximately 114 based on the Comparative Relative Maturity Rating System for harvest moisture of grain.

## 31. (Amended)

The method of claim 30 wherein the plant breeding techniques are selected from the group consisting of: recurrent selection, backcrossing, pedigree breeding, restriction fragment length polymorphism enhanced selection, genetic marker enhanced selection, and transformation.

## 32. (Amended)

A maize plant, or its parts, wherein at least one ancestor of said maize plant is the maize plant, or its parts, of claim 29, wherein said maize plant has derived at least 50% of its ancestral alleles from X1139Y and is capable of expressing a combination of at least two X1139Y traits selected from the group consisting of: excellent yield potential, stability of performance across years and environments, good root strength, good stay green, good early growth, very good resistance to Gray Leaf Spot, moderate plant height, favorable to Iowa, Illinois, Missouri, Western Indiana, Michigan, New York, Vermont, and Ontario and Quebec Canada and a relative maturity of approximately 114 based on the Comparative Relative Maturity Rating System for harvest moisture of grain.

Please add the following new claims:

## 33. (New)

A method of making a hybrid maize plant designated X1139Y comprising:



crossing an inbred maize plant GE565937 deposited as \_\_\_\_\_ with a second inbred maize plant GE502199, deposited as \_\_\_\_\_; and developing from the cross a hybrid maize plant representative seed of which having been deposited under ATCC Accession Number \_\_\_\_\_.

## 34. (New)

A method of making an inbred maize plant comprising:  
obtaining the plant of claim 2 and  
applying double haploid methods to obtain a plant that is homozygous at essentially every locus, said plant having received all of its alleles from maize hybrid plant X1139Y.

## 35. (New)

A method for producing an X1139Y progeny maize plant comprising:

- (a) growing the plant of claim 2, and obtaining self or sib pollinated seed therefrom;  
and
- (b) producing successive filial generations to obtain a X1139Y progeny maize plant.

## 36. (New)

A maize plant produced by the method of claim 35, said maize plant having received all of its alleles from hybrid maize plant X1139Y.

## 37. (New)

The maize plant of claim 36 wherein said maize plant comprises 2 or more X1139Y characteristics described in Table 1 or 2.

## 38. (New)

A method for producing a population of X1139Y progeny maize plants comprising:

- (a) obtaining a first generation progeny maize seed produced by crossing the maize plant of claim 2 with a second maize plant;
- (b) growing said first generation progeny maize seed to produce F<sub>1</sub> generation maize plants and obtaining self-pollinated seed from said F<sub>1</sub> generation maize plants; and



(c) repeating the steps of growing and harvesting successive filial generations to obtain a population of X1139Y progeny maize plants.

## 39. (New)

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over*

The population of X1139Y progeny maize plants produced by the method of claim 38, said population, on average, deriving at least 50% of its ancestral alleles from X1139Y.

## 40. (New)

A X1139Y maize plant selected from the population of X1139Y progeny maize plants produced by the method of claim 38, said maize plant deriving at least 50% of its ancestral alleles from X1139Y.

## 41. (New)

The method of claim 38, further comprising applying double haploid methods to said F<sub>1</sub> generation maize plant or to a successive filial generation thereof.